GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

P.S. - PR&RD Department - Allegations of irregularities in the execution of C.C Road works under MGNREGS in Vizianagaram District taken up by PRI Division, Parvathipuram, Vizianagaram District – Disciplinary proceedings initiated against Sri U.Y.Ratnam, former Assistant Engineer, Makkuva(M), PRISD, Salur - Charge held not proved in the regular enquiry - Government disagreed with the findings of I.A and communicated disagreement factors calling for representation – Representation received - Imposition of penalty of withholding of one increment without cumulative effect under Rule 9 (iv) of A.P.C.S (CC&A) Rules, 1991 - Orders – Issued

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PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.I) DEPARTMENT

G.O.RT.No. 219 **Dated: 15-04-2021**

Read the following:-

1. From the DG, V&E, Vigilance Report No. 12A (C.No. 481/V&E/E2/2014), dt: 30.08.2014.
2. G.O.Rt.No.948, PR&RD (Vig.I) Department, Dt.05.10.2015.
3. From ENC, PR, AP, Lr.No.Vig.I(1)/2779/2014, Dt.28.01.2016, 18.05.2016, 20.07.2016 & 31.10.2017.
4. G.O.Rt.No.960, PR&RD (Vig.I) Department, Dt.27.07.2018.
5. From SE, PR(FAC), Vizianagaram, Lr.Rc.No.52/2010/A1, Dt.28.11.2018.
6. Govt. Memo NO. 16076/Vig. I/2014, PR&RD (Vig. I) Department, Dt: 02.06.2020.
7. From the ENC,PR, Letter No. Vig. I(1)/ 2779/2914, dt: 04.12.2020.

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ORDER:

Based on the recommendations of the Director General, Vigilance & Enforcement Department made in the reference 1st read above, on the allegations of irregularities in the execution of C.C Road works under MGNREGS Programme for the financial year 2012-13 in Vizianagaram District, Government in the reference 2nd read above, have initiated departmental proceedings duly framing following article of charge against Sri U.Y.Ratnam, former Assistant Engineer, Makkuva(M), PRISD, Salur, with a direction to submit his written statement of defence :

CHARGE:

That Sri U.Y.Ratnam, former Mandal Engineering Officer/Asst. Executive Engineer, Makkuva (M), PRI Sub division, Salur, Vizianagaram District present at O/o Superintending Engineer,

P.T.O.,

Panchayat Raj, Eluru has committed certain irregularities in execution and recording of inferior quality CC road with M30 grade in work i.e Providing internal roads with CC drains in SC ST colonies 2012-13 in Kasipatnam(H) of Kasipatnam (GP) Est.Rs.5.00 lakhs under MGNREGS programme for the financial year 2012-2013 in Parvathipuram division, Vizianagaram district and caused loss to Govt. for an amount of Rs.1,20,213/-.

2. In the reference 3rd read above, the Engineer-in-Chief, PR has submitted the dated acknowledgment copy of the Charged Officer Sri U.Y.Ratnam, Assistant Engineer (PR). After examination of the matter, Government have decided to conduct regular inquiry into the charges framed against the charged officer Sri U.Y.Ratnam, Assistant Engineer (PR) and also against nine (9) other co-charged officer involved in the case. Accordingly, Government in the reference 4th read above, have appointed the Superintending Engineer, Panchayat Raj, Vizianagaram District as Inquiry Officer for conducting enquiry against all the ten (10) charge officers.

3. In the reference 5th read above, the Inquiry Officer has submitted inquiry report, wherein the inquiry officer, among others, has given findings against the C.O. Sri U.Y. Ratnam, Assistant Engineer (PR) as follows:-

1) The proposed recovery for Rs. 1,20,213/-by the V&E was got recovered and adjusted to CRD by the EE PRI Division, Parvathipuram , as such no financial loss caused to the Govt.
2) The version of the C.O. in connection with deficiency in strength of CC Pavement executed with M30 grade is "due to lack of proper care in follow up action, such as procurement of materials as per specifications, water cement ratio and especially barricading to prevention of plying traffic during either execution or curing period is not possible in the village as there is no alternative ways to divert the traffic and as per site conditions " are acceptable. Hence, the version of the C.O is acceptable and charge held not proved, He may be exonerated from the charges.

4. The Government, have examined the enquiry report and observe that "the fact that the recovery proposed by the V&E has been recovered itself indicates that irregularities have been committed in the first place. Further, the fact of recovery does not absolve the C.O from the irregularities committed. The C.O has also admitted that deficiencies in work / poor quality execution as due to lack of proper care in follow up action. It is the responsibility of the C.O as a field officer to monitor the work at field level. In view of the above, it is considered that the charge framed against the Charged Officer is held proved in disagreement to the findings of Inquiry Officer.

Contd.. at P.3.,

5. Accordingly, in the reference 6th read above, Government have communicated the copy of the inquiry report of the Inquiry Officer dt: 28.11.2018 together with the above disagreement factors to Sri U.Y.Ratnam, Assistant Engineer (PR) under Rule 21 (2) of A.P. Civil Services (Classification, Control & Appeal) Rules, 1991 with a direction to submit his representation in the matter.

6. In the reference 7th read above, the Engineer-in-Chief, Panchayat Raj, AP, Vijayawada, among others, has furnished the representation of Sri U.Y.Ratnam, Assistant Engineer (PR) dt: 31.10.2020, wherein the Charged Officer has stated that, the work was executed by the concerned Spl. Officer / Sarpanch as per MGNREGS norms and the Sarpanch is responsible as per guidelines issued in G.O.Ms.NO.44, PR&RD (RDII) Dept., Dt: 16.2.2012. The recovery also made good. There were huge targets fixed by the Govt., and as such, they faced much burden to execute all the works having multifarious duties. He has finally requested to consider his representation and to re-examine the matter and drop further action against him.

7. Government have examined the matter and observe that the contention of the Charged Officer that the Sarpanches are responsible for the lapses, merit no consideration. The very objective of the Panchayat Raj Engineering Department is that the Engineering works that are being executed in Gram Panchayts ie,. either through Contractors or through any other agencies viz,. Sarpanches etc,. shall be executed strictly in accordance with norms, work estimates and technical specifications without any deviation. It is the primary task of the PR. Engg. Personnel to ensure the maintenance of quality in execution of works. When the works are executed under the administrative control of the PR Engg. Personnel, then they are only responsible for inferior quality of execution and the lapses regarding inferior quality of works executed could not be simply thrown on executive agencies viz., Contractors, Sarpanches etc., The recovery proposed by the V&E itself indicate that substandard execution was carried out. As such, the charged officer is responsible and his representation to drop further action is devoid of merits.

8. Accordingly, Government after careful examination of the matter, have decided and accordingly, hereby impose a penalty of stoppage of one (1) annual grade increment without cumulative effect under Rule 9 (iv) of A.P.C.S (CC&A) Rules, 1991 against Sri U.Y.Ratnam, former Assistant Engineer, Makkuva(M), PRISD, Salur in the matter.

9. The Engineer-in-Chief, Panchayat Raj, A.P, Vijayawada is requested to take necessary action accordingly in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

P.T.O.,

To
The Engineer in Chief, Panchayat Raj, Andhra Pradesh,
Vijayawada.
Sri U.Y.Ratnam, former Assistant Engineer, Makkuva(M),
PRISD, Salur
through Engineer in Chief, Panchayat Raj, A.P., Vijayawada.
(with a request to serve the order on the individual and furnish the dated acknowledgment copy)

Copy to:-

The Secretary to Vigilance Commission,
Andhra Pradesh Vigilance Commission, Velagapudi.
SF/SC.

//Forwarded :: By Order //

SECTION OFFICER